

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NORTH DAKOTA

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|------------------------|---|-------------------|
| In re: |) | |
| |) | Case No. 23-30256 |
| STEPHANIE RUTH HAMMES, |) | Chapter 7 |
| |) | |
| Debtor |) | |

LIMITED OPPOSITION TO MOTION FOR TURNOVER

Comes now Stephanie Ruth Hammes (“Ms. Hammes” or the “Debtor”), by and through undersigned counsel, pursuant to Local Rule 9013-1, and in limited opposition to the Motion for Turnover (the “Motion,” as found at DE #9) filed by Gene W. Doeling, the Chapter 7 trustee herein (the “Trustee”) states as follows:

The Motion requests turnover of (i) a Wells Fargo savings statement covering the petition date; (ii) a PayPal statement covering the petition date; (iii) a Venmo statement covering the petition date; and (iv) “\$6,000 in earned but unpaid wages, to the extent these funds still exist.” Motion, DE #9. The Wells Fargo statement is appended hereto as Exhibit A. The Debtor does not have formal statements for PayPal or Venmo, but records of her transactions – covering the petition date – are attached as Exhibits B and C, respectively.

Vis a vis the \$6,000 in earned-but-unpaid wages, the Debtor has amended her schedules to list these as an asset and to fully exempt the subject monies. *See* DE #11. The majority of the funds have been expended, but the Debtor respectfully submits the whole of the monies to be properly exemptible and, as such, beyond the purview of what may be administered by the Trustee. *See, e.g., In re Vandeventer*, 368 B.R. 50, 54 (Bankr. C.D. Ill. 2007) (holding that an exempt asset

cannot be administered even to pay a domestic support obligation holding the “highest priority” in a case).¹

WHEREFORE, it is respectfully urged that (i) the Motion be denied as moot; and (ii) this Honorable Court afford such other and further relief as may be just and proper.

Respectfully submitted,

Dated: October 26, 2023

By: /s/ Maurice B. VerStandig
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of October, 2023, a copy of the foregoing was served electronically upon filing via the ECF system.

/s/ Maurice B. VerStandig
Maurice B. VerStandig

¹ The Trustee does, of course, have the right to object to the amended exemptions, should he believe such to be improper for any reason.